

AMENDED IN SENATE APRIL 5, 2006

SENATE BILL

No. 1484

Introduced by Senator Hollingsworth

February 23, 2006

An act to amend ~~Sections 3003.5 and 3004~~ *Section 3003.5* of the Penal Code, relating to parole.

LEGISLATIVE COUNSEL'S DIGEST

SB 1484, as amended, Hollingsworth. Parole.

Existing law provides that when a person is released on parole after having served a term of imprisonment in state prison for any sex offense for which registration is required, that person may not, during the period of parole, reside in any single family dwelling with any other sex offender also required to register, unless those persons are legally related by blood, marriage, or adoption. Existing law excepts from the definition of "single family dwelling" for these purposes, a residential facility which serves 6 or fewer persons.

~~This bill would additionally provide that the term "residential facility" for these purposes would not include a sober living facility~~ *delete the "residential facility" exception to the definition of single family residence from these provisions.*

~~Existing law authorizes the parole authority to require, as a condition of release on parole or reinstatement on parole, or as an intermediate sanction in lieu of return to prison, that an inmate or parolee agree in writing to the use of electronic monitoring or supervising devices for the purpose of helping to verify his or her compliance with all other conditions of parole.~~

~~This bill would additionally require the parole authority to require every inmate released on parole who is convicted of a sex offense~~

subjecting them to registration to be monitored by Global Positioning System technology during the period of parole.

Vote: majority. Appropriation: no. Fiscal committee: yes.

State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3003.5 of the Penal Code is amended to
2 read:

3 3003.5. (a) Notwithstanding any other provision of law,
4 when a person is released on parole after having served a term of
5 imprisonment in state prison for any offense for which
6 registration is required pursuant to Section 290, that person may
7 not, during the period of parole, reside in any single family
8 dwelling with any other person also required to register pursuant
9 to Section 290, unless those persons are legally related by blood,
10 marriage, or adoption.

11 (b) ~~For purposes of this section, “single family dwelling” shall~~
12 ~~not include a residential facility that serves six or fewer persons.~~

13 (c) ~~For purposes of this section, “residential facility that serves~~
14 ~~six or fewer persons” shall not include a sober living facility.~~

15 SEC. 2. Section 3004 of the Penal Code is amended to read:

16 3004. (a) ~~Notwithstanding any other law, and except as~~
17 ~~provided in subdivision (b), the parole authority may require, as~~
18 ~~a condition of release on parole or reinstatement on parole, or as~~
19 ~~an intermediate sanction in lieu of return to prison, that an inmate~~
20 ~~or parolee agree in writing to the use of electronic monitoring or~~
21 ~~supervising devices for the purpose of helping to verify his or her~~
22 ~~compliance with all other conditions of parole. The devices shall~~
23 ~~not be used to eavesdrop or record any conversation, except a~~
24 ~~conversation between the parolee and the agent supervising the~~
25 ~~parolee which is to be used solely for the purposes of voice~~
26 ~~identification.~~

27 (b) ~~The parole authority shall require every inmate released on~~
28 ~~parole who is convicted of an offense subjecting them to~~
29 ~~registration pursuant to Section 290 to be monitored by global~~
30 ~~positioning system technology during the period of parole.~~